

REMARKS

Claims 25-31, 80-87, 98-109, 217-240, and 259-262 have been allowed. Claims 5, 6, 8-15, 33, 36, 40, 43, 52, 55, 69, 72, 76, 78, 89, 92, 94-97, 111, 114, 116-122, 124, 129, 133, 135-140, 147, 149-151, 156, 157, 169, 172, 179, 180, 182, 185, 186, 189, 201, 204, 205, 208, 210, 212, 213, 242, 248, 250, 253, and 258 have been indicated to recite patentable subject matter. Applicants appreciate the recognition of the patentable nature of the present invention.

Independent claim 1 has been amended to include limitations of claim 8. Claim 1 is believed to be in condition for allowance in view of the indication in the Office Action that claim 8 recites patentable subject matter. Applicants respectfully request allowance of claim 1 in the next Office Action.

The claims which depend from independent claim 1 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 32 has been amended to include limitations of claim 36. Claim 32 is believed to be in condition for allowance in view of the indication in the Office Action that claim 36 recites patentable subject matter. Applicants respectfully request allowance of claim 32 in the next Office Action.

The claims which depend from independent claim 32 are in condition for allowance for the reasons discussed above with respect to the independent

claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 39 has been amended to include limitations of claim 43. Claim 39 is believed to be in condition for allowance in view of the indication in the Office Action that claim 43 recites patentable subject matter. Applicants respectfully request allowance of claim 39 in the next Office Action.

The claims which depend from independent claim 39 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 51 has been amended to include limitations of claim 55. Claim 51 is believed to be in condition for allowance in view of the indication in the Office Action that claim 55 recites patentable subject matter. Applicants respectfully request allowance of claim 51 in the next Office Action.

The claims which depend from independent claim 51 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 59 defines a fuel cell power system comprising, in part, a power supply comprising a battery and a control system configured to receive electricity from the battery and to at least one of control and monitor at least one operation of at least one fuel cell. Claim 59 is definite,



understood to one of skill in the art and in compliance with 35 U.S.C. §112, second paragraph. Claim 59 is believed to be allowable because claim 59 was not rejected over the prior art. Applicants respectfully request allowance of claim 59 in the next Office Action.

The claims which depend from independent claim 59 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 68 has been amended to include limitations of claim 72. Claim 68 is believed to be in condition for allowance in view of the indication in the Office Action that claim 72 recites patentable subject matter. Applicants respectfully request allowance of claim 68 in the next Office Action.

The claims which depend from independent claim 68 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 75 defines a fuel cell power system comprising, in part, a main valve adapted to couple with a fuel source and configured to selectively supply fuel, and a plurality of auxiliary valves in fluid communication with the main valve and configured to selectively supply fuel to respective fuel cells, and a control system configured to control the main valve.

Claim 75 includes limitations of claim 79. Claim 75 is definite, understood by one of skill in the art, and in compliance with 35 U.S.C. §112, second paragraph. Claim 75 is believed to be allowable because claim 79 was not rejected over the prior art. Applicants respectfully request allowance of claim 75 in the next Office Action.

Independent claim 88 has been amended to include limitations of claim 94. Claim 88 is believed to be in condition for allowance in view of the indication in the Office Action that claim 94 recites patentable subject matter. Applicants respectfully request allowance of claim 88 in the next Office Action.

The claims which depend from independent claim 88 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 110 has been amended to include limitations of claim 116. Claim 110 is believed to be in condition for allowance in view of the indication in the Office Action that claim 116 recites patentable subject matter. Applicants respectfully request allowance of claim 110 in the next Office Action.

The claims which depend from independent claim 110 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

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Independent claim 123 has been amended to include limitations of claim 129. Claim 123 is believed to be in condition for allowance in view of the indication in the Office Action that claim 129 recites patentable subject matter. Applicants respectfully request allowance of claim 123 in the next Office Action.

The claims which depend from independent claim 123 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 130 has been amended to include limitations of claim 135. Claim 130 is believed to be in condition for allowance in view of the indication in the Office Action that claim 135 recites patentable subject matter. Applicants respectfully request allowance of claim 130 in the next Office Action.

The claims which depend from independent claim 130 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

With reference to the indefiniteness rejection of independent claim 145, it is stated on page 7 at paragraph 18 of the Office Action that claim 145 is confusing because no main valve is recited. Applicants are not expressly claiming the main valve in claim 145 but supplying fuel to the fuel cells using

a plurality of auxiliary valves. Claim 146 depends from claim 145 and further defines supplying fuel to the auxiliary valves using a main valve. Claim 145 is not indefinite for failure to recite a main valve, because Applicants are not positively claiming the main valve in claim 145.

35 U.S.C. §112, second paragraph, requires that the claims particularly point out and distinctly claim the subject matter that the patent applicant regards as his or her invention. "Distinctly" has been interpreted to mean simply that the claim must have a clear and definite meaning *when construed in the light of the complete patent document*. *Standard Oil Co. v. American Cyanamid Co.*, 774 F.2d 448, 227 USPQ 293 (Fed. Cir. 1985).

Further,

[t]he definiteness of the claim language employed must not be analyzed in a vacuum, but always in light of the teachings of the prior art and of the particular application disclosure as it would be interpreted by one having ordinary skill in the pertinent art.

Ex Parte Moelands, 3 USPQ2d 1474, 1476 (P.T.O. Bd. App. & Int'f 1987).
See also, Shatterproof Glass Corp. v. Libbey-Owens Ford Co., 225 USPQ 634, 641 (Fed. Cir. 1985).

Applicant's claims in this regard are definite in light of, and well supported by, its specification. One skilled in the art would have no problem understanding claims 145, 146. Claim 145 is definite, understood by one of skill in the art and in condition for allowance. Applicants respectfully requests allowance of claims 145, 146 in the next Office Action.

Independent claim 152 has been amended to include limitations of claim 156. Claim 152 is believed to be in condition for allowance in view of the indication in the Office Action that claim 156 recites patentable subject matter. Applicants respectfully request allowance of claim 152 in the next Office Action.

The claims which depend from independent claim 152 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 159 defines a method of controlling a fuel cell power system comprising, in part, selectively bleeding a connection coupled with the at least one fuel cell to purge matter from the at least one fuel cell and controlling the bleeding using a control system. Claim 159 is definite, understood by one of skill in the art and in compliance with 35 U.S.C. §112, second paragraph. Claim 159 is believed to be allowable because claim 159 was not rejected over the prior art. Applicants respectfully request allowance of independent claim 159.

The claims which depend from independent claim 159 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 168 has been amended to include limitations of claim 179. Claim 168 is believed to be in condition for allowance in view of the indication in the Office Action that claim 179 recites patentable subject matter. Applicants respectfully request allowance of claim 168 in the next Office Action.

The claims which depend from independent claim 168 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Dependent claim 174 has been amended to define providing electricity to a load coupled with the terminals, monitoring the providing of electricity, and the controlling is responsive to the monitoring of the providing of electricity. Claim 174 is definite, understood by one of skill in the art, and in compliance with 35 U.S.C. §112, second paragraph. Applicants respectfully request allowance of claim 174.

Independent claim 181 has been amended to include limitations of claim 189. Claim 181 is believed to be in condition for allowance in view of the indication in the Office Action that claim 189 recites patentable subject matter. Applicants respectfully request allowance of claim 181 in the next Office Action.

The claims which depend from independent claim 181 are in condition for allowance for the reasons discussed above with respect to the independent

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claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 191 defines a method of controlling a fuel cell power system comprising, in part, supplying electricity to a control system using a power supply comprising a battery and monitoring at least one operation of at least one fuel cell using the control system. Claim 191 is definite, understood by one of skill in the art, and in compliance with 35 U.S.C. §112, second paragraph. Claim 191 is believed to be allowable at least because it was not rejected over the prior art. Applicants respectfully request allowance of claim 191 in the next Office Action.

The claims which depend from independent claim 191 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 200 has been amended to include limitations of claim 208. Claim 200 is believed to be in condition for allowance in view of the indication in the Office Action that claim 208 recites patentable subject matter. Applicants respectfully request allowance of claim 200 in the next Office Action.

The claims which depend from independent claim 200 are in condition for allowance for the reasons discussed above with respect to the independent



claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 209 has been amended to include limitations of claim 215. Claim 209 defines the auxiliary valves in fluid communication with the main valve and respective fuel cells. Claim 209 is definite and complies with 35 U.S.C. §112, second paragraph. Claim 209 is believed to be in condition for allowance because claim 215 was not rejected over the prior art. Applicants respectfully request allowance of claim 209 in the next Office Action.

The claims which depend from independent claim 209 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 241 has been amended to include limitations of claim 250. Claim 241 is believed to be in condition for allowance in view of the indication in the Office Action that claim 250 recites patentable subject matter. Applicants respectfully request allowance of claim 241 in the next Office Action.

The claims which depend from independent claim 241 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Independent claim 252 has been amended to include limitations of claim 258. Claim 252 is believed to be in condition for allowance in view of the indication in the Office Action that claim 258 recites patentable subject matter. Applicants respectfully request allowance of claim 252 in the next Office Action.

The claims which depend from independent claim 252 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Applicants hereby adds new claims 263-310.

New claim 263 includes limitations of original claims 1 and 5. New claim 263 is believed to be in condition of allowance in view of the indication in the Office Action that original claim 5 recites allowable subject matter. Applicants respectfully request allowance of claim 263.

New claim 265 recites limitations of original independent claim 1 and dependent claim 17. New claim 265 is believed to be in condition of allowance inasmuch as claim 17 was not rejected over the prior art. Applicants respectfully request allowance of claim 265.

Independent claim 266 includes limitations of original claim 1 and original claim 19. New claim 266 is believed to be in condition of allowance because original claim 19 was not rejected over the prior art. Applicants respectfully request allowance of claim 266.

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New claim 267 includes limitations of original claim 1 and original claim 22. New claim 267 is believed to be in condition for allowance because original claim 22 was not rejected over the prior art. Applicants respectfully request allowance of claim 267.

New claim 268 includes limitations of original claim 1 and original claim 23. New claim 268 is believed to be in condition for allowance at least because original claim 23 was not rejected over the prior art. Applicants respectfully request allowance of claim 268.

New claim 269 includes limitations of original claims 32 and 33. New claim 269 is believed to be in condition for allowance at least because original claim 33 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 269.

New claim 270 includes limitations of original claim 39 and 40. New claim 270 is believed to be in condition for allowance at least because original claim 40 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 270.

Independent claim 271 includes limitations of original claims 51 and 52. New claim 271 is believed to be in condition for allowance at least because original claim 52 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 271.

New claim 272 recites limitations of original claims 68 and 69. New claim 272 is believed to be in condition for allowance at least because

original claim 69 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 272.

Independent claim 273 recites limitations of original claims 75 and 78. Independent claim 273 is believed to be allowable at least because original claim 78 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 273.

New claim 274 recites limitations of original claims 88 and 89. New claim 274 is believed to be in condition for allowance at least because original claim 89 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 274.

Independent claim 275 recites limitations of original claims 88 and 92. New claim 275 is believed to be allowable at least because original claim 92 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 275.

Independent claim 276 includes limitations of original claims 88 and 95. New claim 276 is believed to be allowable at least because original claim 95 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 276.

New claim 278 includes limitations of original claims 110 and 111. New claim 278 is believed to be allowable at least because original claim 111 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 278.

New claim 279 includes limitations of original claims 110 and 114. New claim 279 is believed to be allowable at least because original claim 114 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 279.

New claim 280 includes limitations of original claims 123 and 124. Claim 280 is believed to be allowable at least because original claim 124 was indicated in the Office Action to recite allowable subject matter. Applicants request allowance of new claim 280.

New claim 281 includes limitations of original claims 130 and 133. New claim 281 is believed to be allowable at least because original claim 133 was indicated in the Office Action to recite allowable subject matter. Applicants respectfully request allowance of claim 281.

New claim 282 recites limitations of original claims 130 and 139. New claim 282 is believed to be allowable at least because original claim 139 was indicated in the Office Action to recite allowable subject matter. Applicants request allowance of new claim 282.

New claim 284 includes limitations of original claims 130 and 145. New claim 284 defines supplying fuel to fuel cells using a plurality of auxiliary valves in fluid communication with the fuel cells and controlling the auxiliary valves using a control systems. Applicants submit that claim 284 is definite, understood by one of skill in the art, and in compliance with 35 U.S.C. §112, second paragraph. Claim 284 is believed to be allowable because claim 145

was not rejected over the prior art. Applicants respectfully request allowance of claim 284.

Independent claim 286 includes limitations of original claims 130 and 147. Claim 286 is believed to be allowable at least for the reason that claim 149 was indicated to recite patentable subject matter in the Office Action. Applicants respectfully request allowance of claim 286.

Claim 287 recites limitations of original claims 130 and 149. Claim 287 is believed to be allowable at least for the reason that claim 149 was indicated in the Office Action to recite patentable subject matter. Applicants request allowance of new claim 287.

Independent claim 290 includes limitations of original claims 152 and 153. Claim 290 is believed to be allowable at least because claim 153 was not rejected over the prior art. Applicants respectfully request allowance of claim 290.

New claim 291 includes limitations of original claims 168 and 169. New claim 291 is believed to be allowable at least because claim 169 was indicated in the Office Action to recite patentable subject matter. Applicants respectfully request allowance of claim 291.

New claim 292 recites limitations of original claims 168 and 172. New claim 292 is believed to be allowable at least because claim 172 was indicated in the Office Action to recite patentable subject matter. Applicants request allowance of claim 292.

New claim 294 recites a method of controlling a fuel cell power system comprising, in part, directing air to at least one fuel cell, controlling the directing using a control system, and providing electricity to a load coupled with the terminals, wherein the controlling is responsive to monitoring of the providing electricity. Claim 294 is definite, understood by one of skill in the art and in compliance with 35 U.S.C. §112, second paragraph. Applicants respectfully request allowance of claim 294 at least because claim 174 was not rejected over the prior art.

New claim 295 includes limitations of original claims 181 and 182. New claim 295 is believed to be allowable at least because original claim 182 was indicated in the Office Action to recite patentable subject matter. Applicants respectfully request allowance of claim 295.

New claim 296 includes limitations of original claims 181 and 185. Claim 296 is believed to be allowable at least because original claim 185 was indicated in the Office Action to recite patentable subject matter. Applicants respectfully request allowance of claim 296.

New claim 298 recites limitations of original claims 200 and 201. New claim 298 is believed to be allowable at least because original claim 201 was indicated in the Office Action to recite patentable subject matter. Applicants respectfully request allowance of claim 298.

New claim 299 recites limitations of original claims 200 and 204. New claim 299 is believed to be allowable at least because original claim 204 was

indicated in the Office Action to recite patentable subject matter. Applicants respectfully request allowance of claim 299.

New claim 301 recites the limitations of original claims 209 and 210. New claim 301 is believed to be allowable at least because original claim 210 was indicated in the Office Action to recite patentable subject matter. Applicants respectfully request allowance of claim 301.

New claim 302 recites the limitations of original claims 209 and 212. New claim 302 is believed to be allowable at least because original claim 212 was indicated in the Office Action to recite patentable subject matter. Applicants respectfully request allowance of claim 302.

New claim 304 recites the limitations of original claims 241 and 242. New claim 304 is believed to be allowable at least because original claim 242 was indicated to recite allowable subject matter. Applicants respectfully request allowance of claim 304.

New claim 305 recites the limitations of original claims 252 and 253. New claim 305 is believed to be allowable at least because original claim 253 was indicated to recite patentable subject matter. Applicants respectfully request allowance of claim 305.

New claim 306 recites the limitations of original claims 1 and 11. New claim 306 is believed to be allowable at least because original claim 11 was indicated to recite patentable subject matter. Applicants respectfully request allowance of claim 306.

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New claim 307 recites the limitations of original claims 1 and 13. New claim 307 is believed to be allowable at least because original claim 13 was indicated to recite patentable subject matter. Applicants respectfully request allowance of claim 307.

Applicants respectfully request allowance of all pending claims.

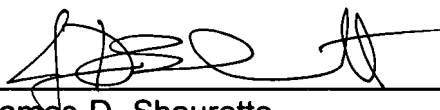
The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,

Dated: _____

12/27/00

By: _____



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